

EMPOWERMENT OF WOMEN IN MODERN SOCIETY

Ms. Indu Yadav,

Research Scholar at Department of Laws,
Bhagat Phool Singh Mahila Vishwavidyalaya Khanpur Kalan, Sonapat,
Email Id: ennuyadav1107@gmail.com

Dr. Kritika,

Assistant Professor, Department of Laws,
Bhagat Phool Singh Mahila Vishwavidyalaya Khanpur Kalan, Sonapat

Abstract:

Hillary Clinton- “When women are held back, our country is held back. When women get ahead, everyone gets ahead.”

Women, adult and child are treated as weaker in the society so they need special attention. The Indian society is multilingual as well as multireligious and follow various culture and traditions. This paper is regarding women’s rights which are violated frequently in every phase of their life Women suffers in silence and deprived of their basic rights in the patriarchal society, Human rights are rights granted to every individual without any discrimination on grounds of religion, race, caste, sex. In this paper an attempt has been made to study the human rights of women in India i.e. how rights of women are protected by various legislations and initiative of government. There exists a huge gap between de jure and de facto rights of women due to practices prevalent and structure of Indian society.

Keywords: Multicultural, Universal Declaration of Human Rights, Violation of Rights, Legislations etc.

Introduction:

The rights of women are multicultural and diasporic. Women struggle in different geographies are dissimilar and are conditioned by several factors i.e. economic, social, cultural, marital, religious, racial, family and individual consciousness. Patriarchy and misogyny are deeply rooted in Indian society. The Indian women has to survive by negotiating through the array of oppressive societal structures like age, relationship of men through family of origin, ordinal status, marriage and procreation and patriarchal attributes. Patriarchal attributes include community, village, colour, dowry, caste, market and the state. The history of women rights in India can be divided into three phases:

First phase beginning in 19th century initiated when reformist started speaking in favour of women rights by making reformation in custom, education, and gender reforms. The first phase was started by men to uproot the social evils of Sati, forbid child marriage, allow widow remarriage, reduce illiteracy, regulate age of consent and ensure property rights through legal intervention. The social reformers who fought for betterment of women rights are Raja Ram Mohan Roy, Perry Charan Sarkar, Savitribai Phule, Ishwar Chander Vidyasagar, Jyotirao Phule, Kadambini Ganguly and Anandi Gopal Joshi.

The second phase of women's rights in India was from 1915 to Indian independence. During this period the struggle against colonial rule intensified. Women movement started and women organisation emerged. Women started participating in public activities.

The third phase started after independence and is still in existence. This phase focused on fair treatment of women at home, workplace and politics. The constitutional and legal rights have been given to women through statutory legislations.

Research Methodology:

For writing this paper secondary data has been collected from books, journals, articles, newspaper, judgements and data in record. For primary source we will adopt the observational method. This is also ex post research because the violations of women rights are happening from long time.

Importance of Women Empowerment in India

“Women empowerment in India is dependent up to a great extent on numerous different variables that encompass geographical setting (urban/rural), social status (caste and class), educational status, and age factor. Actions on the women empowerment exist at the state, local (panchayat), and national levels. However, women encounter differentiation in most sectors like education, economic opportunities, health and medical assistance, and political participation, which demonstrates that there are substantial gaps between strategy advancements and real exercise at the community level.”¹

“Women are known for delivering multiple roles effortlessly per day, and thus, they are considered the backbone of every society. Living in male-dominating societies, women play a wide range of roles, such as caring mothers, loving daughters, and capable colleagues. The best part is that they fit the bill perfectly in every role. Nonetheless, they've also stood as a neglected bunch of society in different parts of the world. In turn, it has resulted in women surviving the brunt of unevenness, financial trustworthiness, oppression, and distinct social evils. Women have been residing under the shackles of enslavement for centuries now that impedes them from attaining professional as well as personal highs.”²

There are various factors affecting women empowerment in India like gender discrimination, education factor, transformation by mass media, changes in women attitude and awareness programmes.

Meaning of Women Empowerment

“Empowerment is the polemic term. Its interpretation varies accordingly, context and issues. The word 'Empowerment' is mostly used to indicate women's progress in every field. Women empowerment is defined as promoting women to be self-dependent and make their choice in every field to contribute to social change for themselves.³ Empowered women and empowered society complement each other in the nation's development. The empowerment of women in the country is an essential need of the present time. Women empowerment

¹ [https://hindrise.org/resources/women-empowerment-in-india-and-its-importance/#:~:text=Women's%20empowerment%20is%20valuable%20for,via%20numerous%20development%20oriented%20schemes.\(Accessed on 18.11.2022\)](https://hindrise.org/resources/women-empowerment-in-india-and-its-importance/#:~:text=Women's%20empowerment%20is%20valuable%20for,via%20numerous%20development%20oriented%20schemes.(Accessed%20on%2018.11.2022))

² Ibid

³ Goyal, Omita, (2015). Interrogating Women's Leadership and Empowerment. New Delhi: SAGE Publications India Pvt. Ltd.

means increasing women's spiritual, political, social or economic power. Women access on resources it is the pre-condition of empowerment, women's abilities to use the resources and ready to enact them for upcoming generation. These actions are necessary to individual level and collective level. The realisation of empowerment to make choice and deciding goals.”⁴ What is needed for empowering women is toning up social, legal, political and economic systems. True empowerment requires clear cut policies by identifying the specific problem areas and then based on them, the approach for its solution to be followed.

Major landmark steps taken for women empowerment

“Provisions made under the Constitution of India such as: Right to equality under Article 14 of the Indian Constitution guarantees to all Indian women equality before law; Equal pay for equal work under Article 39(d), guards the economic rights of women by guaranteeing equal pay for equal work; and Maternity Relief under Article 42, allows provisions to be made by the state for securing just and humane condition of work and maternity relief for women. Acts like the Dowry Prohibition Act, 1961, prohibits the request, payment or acceptance of a dowry. Asking or giving dowry can be punished by imprisonment as well as fine; Protection of Women from Domestic Violence Act, 2005, provides for a more effective protection of the rights of women who are victims of domestic violence. A breach of this Act is punishable with both fine and imprisonment; Sexual Harassment of Women at Work Place (Prevention, Prohibition, and Redressal) Act, 2013, helps to create a conducive environment at the workplace for women where they are not subjected to any sort of sexual harassment. Panchayati Raj Institutions As per the 73rd and 74th Constitutional Amendment Act, all the local elected bodies reserve one-third of their seats for women. Such a provision was made to increase the effective participation of women in politics.”⁵

Many legislations are enacted by the legislature for women empowerment. The Indian Government has a lot of emphasis on utilizing real time data for measuring different indicators and using them for policy intervention. Different policies and programmes has been launched by Government for the benefit of women.

Judiciary being the guardian of fundamental law of land tries to interpret laws according to principles enshrined in Constitution. By using its discretionary power, it tries to provide justice to women in socio economic context. “The judges infuse life and blood into the dry skeleton provided by the legislature and creates a living organism appropriate and adequate to meet the needs of the society- Justice P.N. Bhagwati”

Women Reservation Bill: A Step towards women empowerment

After passing of Women Reservation Bill the women will get 33% reservation in Lok Sabha & all the state legislative Assemblies of the country. In Rajya Sabha the bill was passed by a majority of 215-0. That means no member of the Rajya Sabha opposed this Bill. And in the Lok Sabha the voting was 454-2 that means only two MP's of Lok Sabha were against this bill. There are also controversies about Bill i.e.this reservation will not be applicable to the upcoming 2024 Lok Sabha elections. This reservation can be implemented only after the

⁴ <https://ijcrt.org/papers/IJCRT2208412.pdf> (Accessed on 17.11.2022)

⁵ <https://aiboc.org/wp-content/uploads/2019/05/Women-Empowerment.pdf> (Accessed on 16.11.2023)

delimitation exercise. Delimitation means to redraw the constituencies of Lok Sabha & Assembly according to the latest census. No reservation for OBC women in this Bill.

In such a misogynist scenario the equality which is promised by the constitution to women to contest elections is just a theoretical equality. In fact reservation means bringing social equality on ground. The equality can be brought only by bridging gaps. The best way to bridge the gaps is education.

But the most important thing in my opinion such constitution provisions should definitely be seen as a positive step. But they should not be considered as magic wand. These types of step will not automatically bring equality. In the Panchayat web series, we are shown how a woman is selected as the head of the village council, but she merely becomes a token head. While the husband took on the role of the head. And in reality, we can see this at many places. The husband's photo is also added to the campaign poster's. We also see many news reports the untold story of Haryana's women Sarpanch women remains in kitchen, men manage the work so don't assume that things will change suddenly due to political reservation. Apart from this, we will have to take many proactive steps in the matter of education, health & employment to help women get to the same level. When discrimination against women is over, only then it can be said that equality has truly prevailed.

Conclusion

By writing equality in the constitution equality does prevail on the ground automatically. Today even in 2023, there are millions of such people in the country who feel that women's job is to stay at home, "washing dishes, cooking meals, cleaning everything".

Any society can only flourish when its women are given their due place in the process of development. It should never be forgotten that "An enlightened woman is a source of infinite energy." A long struggle going back over a century has brought women the property rights, voting rights, an equality in civil rights before the law in matters of marriage and employment. In India women had not to struggle for voting rights as we find in other countries.